

REMARKS

In the Restriction Requirement mailed March 19, 2007, the Examiner asserts that the application contains claims directed to the following patentably distinct species: species of vascular indication and species for TGF-beta elevation. In response to the election of species, Applicant provisionally elects, with traverse, the specie cardiovascular indication and the specie idoxifene. Applicant believes claims 153-173 read on each of the elected species.

The requirement to elect a single disclosed species is traversed on the basis that the species have a disclosed relationship. That is, the specification discloses that TGF-beta elevating agents may be employed to prevent or treat a variety of vascular indications. Therefore, withdrawal of the election of species requirement is respectfully requested.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/729,056

Filing Date: December 5, 2003

Title: PREVENTION AND TREATMENT OF CARDIOVASCULAR PATHOLOGIES WITH TAMOXIFEN ANALOGUES

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Dkt: 295.009US4

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

May 21, 2007

By

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CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21st day of May 2007.

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